

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES' UNOPPOSED MOTION FOR EXTENSION
OF TIME TO RESPOND TO DEFENDANTS' MOTION TO EXCLUDE

COMES NOW the United States of America, by and through David C. Iglesias, United States Attorney for the District of New Mexico, and Stephen R. Kotz, Assistant United States Attorney for said District, and moves the Court for an extension of time to respond to the Defendant's Motion to Exclude Consideration of the Contents Specific Wiretapped Phone Call at Any Future Proceeding filed August 3, 2006 (Doc. 616), and in support of its motion states:

1. On August 3, 2006 defendant Dana Jarvis filed his Motion to Exclude Consideration of the Contents Specific Wiretapped Phone Call at Any Future Proceeding, in which he seeks to exclude the contents of Call No. 957, monitored on or about March 21, 2005. The motion was served on the United States by facsimile on August 7, 2006. Thus, the United States' response to that motion is due August 21, 2006.

2. The United States anticipates a forthcoming motion to suppress the entire wiretap by all defendants which renders this particular motion premature.

3. Judicial Economy will be served by addressing issues relating to the wiretap in a

consolidated pleading.

4. The United States therefore requests that it be allowed to file its response to defendant's Motion to Exclude Consideration of the Contents Specific Wiretapped Phone Call at Any Future Proceeding at the same time it responds to all motions to suppress.

5. Counsel for defendant Jarvis does not oppose the relief requested in this motion.

WHEREFORE, the United States respectfully requests that the Court grant an extension of time for the filing of its response to the defendant's Motion to Exclude Consideration of the Contents Specific Wiretapped Phone Call at Any Future Proceeding until its response to all motions to suppress is due.

Respectfully submitted,

DAVID C. IGLESIAS
United States Attorney

ELECTRONICALLY FILED

STEPHEN R. KOTZ
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I HEREBY CERTIFY that a true copy of the foregoing pleading was mailed to opposing counsel of record this 17th day of August, 2006.

ELECTRONICALLY FILED

STEPHEN R. KOTZ
Assistant U.S. Attorney